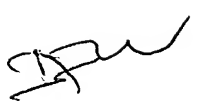


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 23, 2005

Signature: 

(Raymond Garguilo, Jr.)

  
Docket No.: SPINE 3.0-437  
CIP CIP CIP CIP CIP CON XIV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Application No.: 10/642,528

Confirmation No.: 3167

Filed: August 15, 2003

Art Unit: 3738

For: AXIALLY COMPRESSIBLE ARTIFICIAL  
INTERVERTEBRAL DISC HAVING  
LIMITED ROTATION USING A CAPTURED  
BALL AND SOCKET JOINT WITH A  
SOLID BALL AND COMPRESSION  
LOCKING POST

Examiner: B. E.  
Pellegrino

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

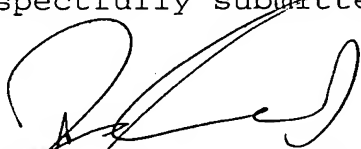
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: May 23, 2005

Respectfully submitted,

  
By \_\_\_\_\_  
Raymond Garguilo, Jr.  
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